HOUSE BILL 2016

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1   AN ACT Relating to changing review periods under the growth
2 management act; and amending RCW 36.70A.130 and 36.70A.215.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4   **Sec. 1.** RCW 36.70A.130 and 1997 c 429 s 10 are each amended to
5 read as follows:
6   (1) Each comprehensive land use plan and development regulations
7 shall be subject to continuing review and evaluation by the county or
8 city that adopted them. Not later than September 1, 2002, and ((at
9 least)) every five years thereafter, a county or city shall take action
10 to review and, if needed, revise its comprehensive land use plan and
11 development regulations to ensure that the plan and regulations are
12 complying with the requirements of this chapter. However, a county or
13 city may review and revise its comprehensive plan every two years. The
14 review and evaluation required by this subsection may be combined with
15 the review required by subsection (3) of this section.
16   Any amendment or revision to a comprehensive land use plan shall
17 conform to this chapter, and any change to development regulations
18 shall be consistent with and implement the comprehensive plan.

(2)(a) Each county and city shall establish and broadly disseminate to the public a public participation program identifying procedures whereby proposed amendments or revisions of the comprehensive plan are considered by the governing body of the county or city ((no more frequently than once every year)) at least every year, and if a county or city so chooses, as frequently as every six months except that amendments may be considered more frequently under the following circumstances:

(i) The initial adoption of a subarea plan;

(ii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW; and

(iii) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget.

(b) Except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with a growth management hearings board or with the court.

(3) Each county that designates urban growth areas under RCW 36.70A.110 shall review, at least every ((ten)) five years, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas. The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period. The review required by this subsection may be combined with the review and evaluation required by RCW 36.70A.215.

Sec. 2. RCW 36.70A.215 and 1997 c 429 s 25 are each amended to read as follows:

(1) Subject to the limitations in subsection (7) of this section, a county shall adopt, in consultation with its cities, county-wide planning policies to establish a review and evaluation program. This program shall be in addition to the requirements of RCW 36.70A.110, 36.70A.130, and 36.70A.210. In developing and implementing the review and evaluation program required by this section, the county and its cities shall consider information from other appropriate jurisdictions and sources. The purpose of the review and evaluation program shall be to:

(a) Determine whether a county and its cities are achieving urban densities within urban growth areas by comparing growth and development assumptions, targets, and objectives contained in the county-wide planning policies and the county and city comprehensive plans with actual growth and development that has occurred in the county and its cities; and

(b) Identify reasonable measures, other than adjusting urban growth areas, that will be taken to comply with the requirements of this chapter.

(2) The review and evaluation program shall:

(a) Encompass land uses and activities both within and outside of urban growth areas and provide for annual collection of data on urban and rural land uses, development, critical areas, and capital facilities to the extent necessary to determine the quantity and type of land suitable for development, both for residential and employment-based activities;

(b) Provide for evaluation of the data collected under (a) of this subsection every five years as provided in subsection (3) of this section. However, if a county or city chooses to evaluate its urban growth area more often than once in five years, that review may occur once every two years. The first evaluation shall be completed not later than September 1, 2002. The county and its cities may establish in the county-wide planning policies indicators, benchmarks, and other similar criteria to use in conducting the evaluation;

(c) Provide for methods to resolve disputes among jurisdictions relating to the county-wide planning policies required by this section and procedures to resolve inconsistencies in collection and analysis of data; and

(d) Provide for the amendment of the county-wide policies and
county and city comprehensive plans as needed to remedy an
inconsistency identified through the evaluation required by this
section, or to bring these policies into compliance with the
requirements of this chapter.
        (3) At a minimum, the evaluation component of the program required
by subsection (1) of this section shall:
        (a) Determine whether there is sufficient suitable land to
accommodate the county-wide population projection established for the
county pursuant to RCW 43.62.035 and the subsequent population
allocations within the county and between the county and its cities and
the requirements of RCW 36.70A.110;
        (b) Determine the actual density of housing that has been
constructed and the actual amount of land developed for commercial and
industrial uses within the urban growth area since the adoption of a
comprehensive plan under this chapter or since the last periodic
evaluation as required by subsection (1) of this section; and
        (c) Based on the actual density of development as determined under
(b) of this subsection, review commercial, industrial, and housing
needs by type and density range to determine the amount of land needed
for commercial, industrial, and housing for the remaining portion of
the twenty-year planning period used in the most recently adopted
comprehensive plan.
        (4) If the evaluation required by subsection (3) of this section
demonstrates an inconsistency between what has occurred since the
adoption of the county-wide planning policies and the county and city
comprehensive plans and development regulations and what was envisioned
in those policies and plans and the planning goals and the requirements
of this chapter, as the inconsistency relates to the evaluation factors
specified in subsection (3) of this section, the county and its cities
shall adopt and implement measures that are reasonably likely to
increase consistency during the subsequent ((five-year)) two-year
period. If necessary, a county, in consultation with its cities as
required by RCW 36.70A.210, shall adopt amendments to county-wide
planning policies to increase consistency. The county and its cities
shall annually monitor the measures adopted under this subsection to
determine their effect and may revise or rescind them as appropriate.
        (5)(a) Not later than July 1, 1998, the department shall prepare a
list of methods used by counties and cities in carrying out the types

1 of activities required by this section. The department shall provide
 2 this information and appropriate technical assistance to counties and
 3 cities required to or choosing to comply with the provisions of this
 4 section.
 5   (b) By December 31, 2007, the department shall submit to the
 6 appropriate committees of the legislature a report analyzing the
 7 effectiveness of the activities described in this section in achieving
 8 the goals envisioned by the county-wide planning policies and the
 9 comprehensive plans and development regulations of the counties and
10 cities.
11   (6) From funds appropriated by the legislature for this purpose,
12 the department shall provide grants to counties, cities, and regional
13 planning organizations required under subsection (7) of this section to
14 conduct the review and perform the evaluation required by this section.
15   (7) The provisions of this section shall apply to counties, and the
16 cities within those counties, that were greater than one hundred fifty
17 thousand in population in 1995 as determined by office of financial
18 management population estimates and that are located west of the crest
19 of the Cascade mountain range. Any other county planning under RCW
20 36.70A.040 may carry out the review, evaluation, and amendment programs
21 and procedures as provided in this section.

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